

OFFICIAL GAZETTE



GOVERNMENT OF GOA

EXTRAORDINARY

GOVERNMENT OF GOA

Department of Elections

State Election Commission

Notification

5/3/99-2000/SEC.

The following Draft Order which the Commissioner of Goa State Election Commission proposes to make under Section 237 of the Goa Panchayat Raj Act is hereby pre-published for the information of the grass-root level political workers and the general public thereby, and notices hereby given that the said draft order will be taken into consideration on expiry of 30 days from the date of publication of this Notification in the Official Gazette. All objections, comments and suggestions supported with reasons to the said Draft Order may be forwarded to the Secretary, Goa State Election Commission, 2nd Lift, 3rd Floor, Junta House, Panaji, before the expiry of 30 days from the date of publication of this Notification. Comments may also be faxed to: 431881 or 738962.

DRAFT ORDER

Whereas the superintendence, direction and control of elections to the Panchayats at all levels and Municipalities in the State are vested by Chapter IX and IX-A, respectively, of the Constitution of India, in the State Election Commission, Goa.

And whereas with a view to prevent malpractice of impersonation at the election and in the interest of purity of elections and conduct of such elections in a fair and efficient manner, it is necessary and expedient to direct the production of Identity of voters at the

general election or bye-election to Panchayat at all levels or a Municipality.

Now therefore, in exercise of powers conferred by Article 243-K and 243-ZA of the Constitution of India read with provisions and Section 237 of the Goa Panchayat Raj Act, I, Prabhakar Timble, State Election Commissioner, Goa, hereby direct as follows:

In regard to the Identification of voters, the Presiding Officer or the Polling Officer shall, in addition to any other provisions made by or under the provisions of the Act and Rules, with regard to identification of the voters, at the polling station, require the voter or the elector to produce, at the time of polling any one of the following identity:

- a) Photo Identity Card issued by the Election Commission of India or
- b) Photo Identity Card issued by any Department of the Central or State Government or
- c) Passport or
- d) Student Photo identity card issued by a recognized educational institution or
- e) Ration Card issued by the Directorate of Civil Supplies wherein the name of the voter or elector is entered or
- f) Photo driving licence or
- g) Bank Pass Book wherein the name of the voter is entered or
- h) Photo identity-card issued to an employee by the employer provided the name and designation of the issuing authority is clearly shown or

- i) Any documentary evidence establishing the identity of the voter which satisfies the Presiding Officer.

If any such voter or elector refuses or fails to produce such identity or evidence as specified under (a) to (i) above, he shall not be entitled to be supplied with any ballot paper or to record his vote at the election.

It should be noted that the possession of identity as specified under (a) to (i) is not a substitute for an entry in the list of voters of an electoral roll and will not automatically entitle the possessor thereof to vote in an election. The right to vote will continue to be governed strictly in accordance with the relevant provisions of the Act and rules made thereunder.

By order and in the name of Commissioner, Goa State Election Commission.

J. B. Bhingui, Secretary (Goa State Election Commission).

Panaji, 17th February, 2000.

Department of Urban Development

Directorate of Municipal Administration

Notification

10/255/98-DMA (1)/2400

The following draft amendment which is proposed to be made to the Goa Municipalities (Transfer of Immovable Property) Rules, 1970, is hereby pre-published as required by sub-section (3) of section 306 of the Goa Municipalities Act, 1968 (Act 7 of 1969), for information of the persons likely to be affected thereby and notice is hereby given that the said draft amendment will be taken into consideration by the Government on the expiry of 15 days from the date of publication of this Notification in the Official Gazette.

All objections and suggestions to the said draft amendment may be forwarded to the Director of Municipal Administration and Ex-Officio Joint Secretary to the Government of Goa, Department of Urban Development, Collectorate of Goa, Panaji, before the expiry of a period of 15 days from the date of publication of this Notification in the Official Gazette.

DRAFT AMENDMENT

In exercise of the powers conferred by section 306 read with section 88 of the Goa Municipalities Act, 1968 (Act 7 of 1969), and all other powers enabling it in that behalf, the Government of Goa hereby makes the following

rules so as to further amend the Goa Municipalities (Transfer of Immovable Property) Rules, 1970, namely:—

1. *Short title and commencement.*— (1) These rules may be called the Goa Municipalities (Transfer of Immovable Property) (Amendment) Rules, 2000.

(2) They shall come into force at once.

2. *Amendment of Rule 2.*— In rule 2 of the Goa Municipalities (Transfer of Immovable Property) Rules, 1970 (hereinafter called the “principal Rules”), clause (d) shall be omitted.

3. *Amendment of rule 5.*— In rule 5 of the principal Rules, for the second and third provisos, the following provisos shall be respectively substituted, namely:—

“Provided further that, the Council may, for reasons to be recorded in writing and subject to the prior approval of the Director, transfer such immovable property without holding public auction by fixing a reasonable monthly rent which shall be payable during the whole term of the lease in case of transfer on lease or a reasonable sale value in case of transfer on sale, in any of the following circumstances:—

(i) When the transfer of the immovable property by sale or lease is to be made to the Government or to the Central Government or to any Government Corporation or Undertakings;

(ii) When the transfer of the immovable property is in pursuance of a rehabilitation Scheme approved by the Government;

(iii) When any person, other than the original lessee, who is in physical possession of an immovable property of the Council with the direct or indirect consent of the concerned lessee (including former lessee of the Council whose lease period stands expired but the immovable property has not been handed over to the Council) makes an application towards transferring it in his name by substantiating his possession to the satisfaction of the Council and is also willing to pay, besides the monthly rent which shall not be less than such rate of rental over the existing rent as decided by the Director, such transfer fee as may be fixed by the Council in pursuance of guidelines as laid down by it with the approval of the Government which shall be based on the location and area of the property sought to be transferred;

(iv) When a person applying for lease is a person below the poverty line as per the guidelines of the Government of Goa, or a physically handicapped person:

Provided also that no such immovable property shall be transferred by the Council without following the provisions of section 88 of the Act.”

By order and in the name of the Governor of Goa.

K. N. S. Nair, Director of Municipal Administration/Ex-Officio Joint Secretary (UD).

Panaji, 16th February, 2000.